

AFFIDAVIT

I, David B. Wright, an Inspector with the Department of Homeland Security / Federal Protective Service (DHS/FPS) out of Kansas City, Missouri, being duly sworn, depose and state as follows:

1. As an Inspector, I am authorized to investigate violations of laws of the United States and to execute warrants issued under the authority of the United States Government. I am submitting this affidavit in support of a complaint charging Matthew Wayne Harker, DOB: 03/14/1971, with 18 U.S.C. § 2261A(2)(B), Stalking.

2. On March 21, 2014 Matthew Wayne Harker contacted the Federal Aviation Administration (FAA) through the FAA's public website. Harker stated the following in an email communication: "You are holding my already issued pilot and instructor certificates without legal reason. Please forward new replacement certificates to me today. The Declaration of Independence says I can come in there anytime and set you straight. You have 10 days to get those certificates to me or your termination will result. If you have any questions please ask immediately." The FAA did not respond to this email.

3. On April 9, 2014, Matthew Wayne Harker left a voice mail on FAA employee Jan Chandler's voicemail, demanding his pilot's certificate. The FAA preserved this voicemail message and will provide a copy to DHS/FPS.

4. On April 15, 2014, Matthew Wayne Harker contacted Tiffany Chitwood of the FAA. During this conversation Harker proceeded to tell Chitwood that the FAA had wrongly taken his airman certificates, that he was taking it up in court, and he wanted his certificates returned. Harker was advised by Chitwood that she would have to review his case and contact him back. He stated no and he would contact her back in 10 days.

5. On April 16, 2014 Matthew Wayne Harker contacted Patricia Verbeck, an FAA employee. This time Harker asked with whom he was speaking with. Harker asked Verbeck if Tiffany Chitwood was in the office and if he could speak with her. Verbeck advised Harker that Tiffany Chitwood was unavailable and asked if someone else could assist him. Harker replied "No. I wondering if she had all of the information she needed. I will give her nine more days."

6. On April 16, 2014, at approximately 1630 hours, Special Agent Thomas McNutt (DHS/FPS), Officer Shawn Rath (Lee's Summit Police Department) and I made contact with Matthew Harker at his parent's residence located at 5522 Moonlight Meadow Dr., Lee's Summit, Missouri. During the interview Mr. Harker was argumentative and refused to listen to reason. Mr. Harker was advised that it would be in his best interest to stop contacting the FAA and SA McNutt administered him an Admonishment Letter which he refused to sign. Mr. Harker also stated that he had every right to continue contacting the FAA and he would continue to do so.

7. The FAA's Security Director Debra Sanning has advised DHS/FPS that her entire staff is on edge due to Mr. Harker's previous interactions with the agency. According to Sanning, Mr. Harker has been charged and convicted for threatening two Federal Judges in the Western District of Missouri and has recently completed his supervised release. This information was confirmed by Deputy U.S. Marshal Amy Matous and the United States Attorney's Office of the Western District of Missouri.

8. On September 1, 2010, Harker plead guilty to the offense of 18 U.S.C. §§ 115(a)(1)(b) and 115(b)(4), threatening to murder a United States Judge with the intent to impede, intimidate or interfere while engaged in the performance of official duties or with the intent to retaliate against such judge on account of the performance of official duties, in case number 08-00162-01-CR-W-NLK. In that case Harker left a voice message on the telephone

number for the chambers of United States District Judge Dean Whipple which stated “if I see Mr. Whipple or Mr. Smith, I will kill Mr. Whipple or Mr. Smith. They will correct themselves, they will carry through on the case or they will not live.”

9. Harker also has a conviction for making a false statement to the Federal Aviation Administration. On September 1, 2010, Harker plead guilty to one count in violation of 18 U.S.C. § 1001, making a false statement, in case number 08-00124-01-CR-W-NKL. In that case Harker presented the FAA with FAA Form 8500-8 Application for Airman Medical Certificate stating among other things that his FAA Airman Medical Certificate had never been suspended knowing that his certificate was in fact suspended on January 7, 2002.

10. On November 30, 2010, Harker was sentenced in both 08-00124-01-CR-W-NKL and 08-00162-01-CR-W-NKL to concurrent sentences of time served (28 months) imprisonment in the Bureau of Prisons. Harker was also sentenced to a two year term of supervised release.

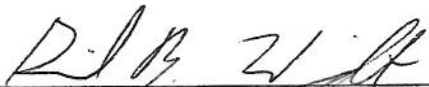
11. FAA Security Director Sanning also advised that in the past Harker responded to the personal residence of an FAA Attorney by the name of Barbara Boyle and threatened her at her home, and he has also threatened the FAA Administrator Blakey.

12. Due to Harker’s recent contact with the FAA at 901 Locust Street, Kansas City Missouri, the FAA staff has taken serious steps to expand security. The FAA has officially requested increased police presence from the Federal Protective Service and implemented new security procedures. Mr. Harker’s deadline of nine days was issued on April 16, 2014, ends on Thursday, April 24, 2014, which coincides with the FAA’s “Bring Your Child To Work Day.” The FAA is considering canceling this event due to Harker’s email threat and his telephone message and conversations.

13. Jan Chandler of the FAA has expressed concerns for her safety while walking to her vehicle since Harker knows her identity. Debra Sanning (FAA's Chief of Security at 901 Locust Street) has also expressed concerns and is afraid that Matthew Harker could possibly show up at their office building. In response to the FAA's concerns DHS/FPS have provided FPS alerts for Matthew Harker at the guard stations located at 901 Locust Street, Kansas City, MO (FAA) and at the Federal Courthouse located across the street at 400 E. 9th Street, Kansas City, Missouri.

14. For the reasons stated above, I believe that probable cause exists to arrest and charge Matthew Wayne Harker of Lee's Summit, Missouri, a white male born on March 14, 1971 with 18 U.S.C. § 2261A(2)(B), Stalking.

The foregoing is true and correct to the best of my information and belief.


David B. Wright, Inspector,
Department of Homeland Security,
Federal Protective Service

Sworn and subscribed before me
this 21st day of April, 2014.


ROBERT E. LARSEN
UNITED STATES MAGISTRATE JUDGE